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Official Public Records

Tarrant County Texas

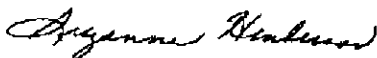
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Submitter: SIMPLIFILE

**D208463203**

2 Pages



Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**AMENDMENT OF OIL, GAS AND MINERAL LEASE**

STATE OF TEXAS       }  
COUNTY OF TARRANT }

WHEREAS, James L. Brady and Judith M. Brady, husband and wife, hereinafter referred to as "Lessors" heretofore executed an Oil, Gas and Mineral Lease, dated October 4, 2006, to XTO Energy Inc., hereinafter referred to as "Lessee" recorded at Clerk Document No. D206382020 Official Public Records of Tarrant County, Texas, hereinafter referred to as "The Lease", whereby Lessors leased certain lands situated in Tarrant County, Texas, to wit:

1.0012 acres of land, more or less, out of the J. McDonald Survey, Abstract No. 997, Tarrant County, Texas, and being more particularly described in Deed dated July 16, 2004, in Document Number D204241517, Deed Records, Tarrant County, Texas.

AND WHEREAS, a Mineral Deed dated December 14, 2008 was executed by James Lee Brady to Judith M. Hitt (formerly Judith M. Brady) recorded at Clerk Document No. D208458981 Official Public Records of Tarrant County, Texas.

NOW THEREFORE, Notwithstanding anything to the contrary, it is the desire of the Lessee and Lessors to amend that portion of the pooling provision in the lease to provide for pooled units for gas hereunder which shall not substantially exceed in area 320 acres each plus a tolerance of 10% thereof.

AND, Lessee and Lessors herein agree that the lease is further amended as follows:

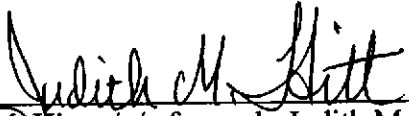
Upon the expiration of the primary term of this lease or upon the expiration of any extension or renewal of the primary term, whichever occurs last, Lessee shall release all rights lying one hundred feet (100') below the stratigraphic equivalent of the base of the deepest formation drilled; provided, however, if Lessee is then engaged in operations on the leased premises or on lands pooled therewith, this lease shall remain in full force and effect as to all depths so long as no more than ninety (90) days elapse between said operations.

AND, for the same consideration recited above, I, or we, the undersigned, jointly and severally, do hereby adopt, ratify and confirm The Lease, and all of its provisions, except as herein modified and amended, and do hereby grant, lease, and let to the Lessee therein or its successors and assigns, any and all interest which I, or we, now have, or may hereafter acquire, either by conveyance, devise, inheritance or operation of laws, and

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whether vested, expectant, contingent or future, in and to the lands described therein, in accordance with each and all of the provisions contained in The Lease and as amended hereby, and the undersigned hereby declare that The Lease and all of its provisions, as amended, are binding on the undersigned and is a valid and subsisting Oil and Gas Lease and this agreement shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of each of the undersigned.

**IN WITNESS WHEREOF**, this Amendment is executed by the undersigned Lessors on the respective date of acknowledgment below, but is effective as of the date of October 4, 2006, date of The Lease.

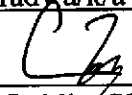
  
\_\_\_\_\_  
Judith M. Hitt, s/p/a formerly Judith M. Brady  
a/k/a Judith Marie Brady

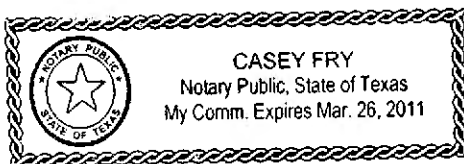
Address: 208 Horizon Circle  
Azle, Texas 76020

#### ACKNOWLEDGMENT

STATE OF TEXAS       }  
COUNTY OF TARRANT }

This instrument was acknowledged before me on the 16 day of Dec,  
2008, by Judith M. Hitt, s/p/a formerly Judith M. Brady a/k/a Judith Marie Brady.

  
\_\_\_\_\_  
Notary Public, State of Texas



Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt. # 1136  
Fort Worth, TX 76137